

Decentralised agencies of european union law european essay

Law



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Content

Introduction

Agencies of European Union

European Agencies are specialized bodies that are responsible for an important (scientific, technical, legitime or social) structure of the European Union. They are located in the European Union Member States. Its function is to provide cooperation between Member States and help its citizens in the areas of their competence. Agencies have contributed significantly to the effective functioning of the European Union, thanks to its expertise in certain areas of European architecture. Being mostly, decentralized and independent institutions have served to strengthen the multinational nature of the Union. There are two types of European agencies: regulatory (which is divided to 3 types) and executive (which is created for a fixed period only).

Regulatory agencies, are decentralized and responsible for a particular competence untimed. European regulatory agencies do not have a common

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framework of governance, their role and responsibility is not known precisely. Using this communication system between EU and Member States, the Commission intends to re-open a debate on the institutional role and place of regulatory agencies in the EU governance. This should lead to a common vision (approach) of the functions of regulatory agencies. Agencies are known as the " three pillars" to help in European Union' s activity. The EU Commission is responsible for proposing the creation of agencies individually, while the final decision rests with Parliament and / or the Council of Ministers. The adoption of a common approach shared by the regulatory agencies of the EU institutions promote transparency and improve working methods. This is especially important because agencies perform essential tasks, although very different, in a wide range of policy areas. Regulatory agencies are divided into a number of categories according to their functions: Individual decisions; Technical or scientific advice to the Commission and the Member States; Responsibility for operational activities; Information services and networking; Services to other agencies and institutions. Generally all European Union' s agencies are divided into 4 different groups: Community Agencies. Community agencies are the public law institutions, different from the Community Institutions (Council, Parliament, Commission, etc..) and have their own legal personalities. They are set up on the basis of the European Union secondary legislation, EU's „ first pillar" to solve very specific technical, scientific or managerial tasks. Common Foreign and Security Policy agencies. (CFSP) These agencies were established for solving very specific technical, scientific and management tasks of the CFSP (the EU's „ second pillar") field. Police and judicial

cooperation in criminal matters agencies, were established to help European Union Member States to cooperate in the fight against organized international crime. This co-operation in criminal matters is called the EU's „ third pillar". Executive bodies - organizations established in accordance with Council Regulation (EC) No. 58/2003 (OJ L 11, 2003 1 16) to be entrusted with certain of one or more tasks in the management. These agencies are set up for a fixed period of time. Their office must be in the same place as the European Commission (Brussels or Luxembourg). EU agencies are independent bodies, normally governed by a Board of Directors. The Board of Directors are responsible for overseeing the performance of the agency and appoint the Director, who in turn is responsible for the operational aspects of the agency. Most of the agencies are funded by the EU budget, for which budgetary discharge is responsible European Parliament. Furthermore, the general Financial Regulation and Financial Regulations provide common standards framework on financial governance agencies. However, there are still general rules governing the establishment and operation of these agencies. And, more importantly, there are no clear rules on responsibility for their actions. The role and influence of the other institutions is debatable, for example, with respect to the appointment and the appointment of directors and boards of directors. There should be a common approach to the governance of regulatory agencies to take into account the particularities of each of them and at the moment EU is working on this question. At the same time, basic principles of accountability and sound financial management should be respected. Therefore for the common approach consistent, it may be necessary to modify the legal act

establishing any existing agency, the common approach must specify the following aspects of regulatory agencies: Tasks; Structure and working methods; Responsibility and relationship with other institutions; Regulatory framework; Creation and dissolution; Communication strategy. July of 2012 was confirmed The Common Approach by the European Parliament, the Council and the Commission represents the first political agreement on EU decentralised agencies of its kind. Although legally agreement is not obligatory, it will serve as a political project guiding future horizontal initiatives and reforms of individual EU agencies. The agreement serves as an introduction to roadmap: it explains the Commission's main objectives for the implementation and describes how the Commission intends to pursue the implementation of the Common Approach. In parallel to the actions listed in the roadmap (which include elements to be undertaken in the context of the ongoing revision of legislative texts such as the Staff Regulations and the Framework Financial Regulation), the implementation of the Common Approach requires the adaptation of the founding acts of existing agencies following a case by case analysis, as well as non-legislative measures, such as through the work of Commission representatives on agencies' management boards. The Commission's main objectives for the implementation of the Common Approach are: More balanced governance, Improved efficiency and accountability; Greater coherence. Concerning governance of agencies, the implementation of the Common Approach will aim to clarify that management boards are expected to play a supervisory role to counterbalance the powers of the directors. The Commission has two without prejudice to the relevant arrangements for existing agencies and,

where appropriate, the European Parliament may designate one member and stakeholders may have a limited number of representatives. The rationale is to avoid the situation where boards are so large (up to more than 80 members) that they act more as consultative assemblies than as a true supervisory body. The governance of agencies will also be characterised by a major political innovation: the creation of a so-called „ alert-warning system". The Commission is now formally entrusted with the responsibility to warn the European Parliament and Council in case " it has serious reasons for concern that an agency's Management Board is about to take decisions which may not comply with the mandate of the agency, may violate EU law or be in manifest contradiction with EU policy objectives". A second major objective for the implementation of the Common Approach is to enhance agencies' efficiency and accountability. One of the initiatives to be pursued in this respect is to seek interactions between agencies, such as the possibility of sharing services based on proximity of locations or policy area or that of merging agencies whose tasks are concurrent and which would work more efficiently in a bigger structure. Agencies will, for example, be asked to systematically devise multi-annual work programmes, to better apply management tools and to develop sound key performance indicators (both for the agency and its Director). Agencies' accountability should also be improved. The Commission will work with them to develop guidelines for a coherent policy on the prevention and management of conflicts of interest for members of the Management Board and Directors, experts in scientific committees, and members of Boards of Appeal. Agencies will also be expected to be more transparent on some of their activities, notably

concerning their international relations. On this point, the Common Approach recalls that agencies have to work within their mandate and the institutional framework, and that they can not be seen as representing the European Union. A third objective of the implementation phase will be to introduce greater coherence in the way agencies function, whenever possible and relevant. For example, the Commission will develop standard provisions of a horizontal nature in their founding acts.

Decentralised agencies of European Union

Decentralised European agencies are in several countries of European Union Member States, there are more than 30 agencies. They play an important role in the implementation of EU policies, in particular in the context of technical, scientific, business, and (or) regulatory tasks. In doing so, it provides the EU institutions, especially the Commission, the opportunity to focus on policy-making. The focus of European Union and national authorities and the technical expertise and is supported by the EU and national governments in key policy areas. Decentralised agencies are the European public law governing independent legal entities, different than the EU institutions (Council, Parliament, Commission, etc.). One of these decentralised agencies started to work in Lithuania. June of 2010 in Vilnius was opened European institute of Gender Equality (EIGE).

European Institute for Gender Equality - EIGE

European Institute for Gender Equality - EIGE is a European agency which supports the European Union and its Member States in their efforts to promote gender equality, to fight with discrimination based on sex and to

raise awareness about gender equality issues. Its tasks are to collect and analyse comparable information on gender issues in EU Member States, to develop methodological tools, in particular for the integration of the gender dimension in all policy areas, to facilitate the exchange of best practices and dialogue among stakeholders, and to raise awareness among EU citizens. The Institute's bodies include: Management Board, (decision-making role) takes annual and medium-term programs and approves the budget; Expert Forum, (advisory role), helps the Director in ensuring the excellence and independence of the InstituteThe director and staff, (executive role) The director (Present director is Virginija Langbakk) is the legal representative of the Institute, responsible for the day to day management and implementation of the program of work. Institute's mission is to contribute to its activities on gender equality both at EU and national policies to combat discrimination based on sex and to increase public awareness of gender equality in the European Union. The Institute, in order to achieve these goals, organize their activities according to the work program priorities. The Institute's activities will be carried out under various long-term programs and short-term initiatives for gender mainstreaming in various fields, such as breaking gender stereotypes, gender mainstreaming tools and methods of training, best practices mobilization of gender equality issues in different areas, and so on. The Institute began developing the original terms of the available data, information and statistics on gender equality store. One of the most important tasks for the future is to ensure the objectivity of the data, comparability and reliability of the review, update and improve the performance of Beijing or previously adopted by the Council of gender

indicators. Maintaining a systematic approach to gender mainstreaming strategy, the Institute gathers summary information about existing policies on gender issues, review the methods used to successfully and emerging issues facing both the EU bodies and Member States and civil society organizations in the implementation of their goals. In order to create an effective best practice collection, documentation and exchange at the European level, the Institute began to develop inventory-catalog of research and best practice in Member States and local authorities in practice, an online database that is easily accessible to the public, and document center and library in Vilnius. Featured in information stored in priorities among other things, women's empowerment aspects of the equal participation of women and men in the decision-making process, sharing housework and other domestic concerns in the fight against poverty and discrimination based on sex. Public awareness, networking and communications preferred common understanding of gender sensitivity increase, broader awareness of gender equality policies and activities of the institute visibility of European citizens. Some of the institute's activities on the complex setting and breaking stereotypes, issues, highlighting positive women and men who presume to transcend stereotypical gender norms, examples. The aim is to highlight the achievements of women in all spheres of life. Other activities designed to prepare the preliminary study of the hitherto existing cultural and social norms and gender patterns are still "linking" women to reproduction, and men with public life, the basis of which we plan to develop a number of pilot projects for young people in an attempt to create stereotypes breaking models in today's society . One of the most important tasks for the future is

to create an efficient electronic European Network on Gender Equality. The network should be set up research centers and national institutions, organizations and experts working in the field of gender equality, whose efforts to promote cooperation and exchange of information and the information gathered is used properly. Although the Institute is only a relatively small proportion of EU agency with low human capital, it aims to attract the best professionals with expertise in the country in order to create groups of experts in different fields, such as gender indicators, gender mainstreaming, media and communication, and rely on the support of these professionals carrying out its activities in the future. In addition, regular dialogue between the Institute and the key stakeholders and partners, including the European Commission and the European Parliament, the relevant national authorities, as well as non-governmental organizations, research centers, and the European Union already existing networks of gender equality in order to build strong partnerships the future of gender equality across Europe.

History of European Institute for Gender Equality

The idea of setting up a European Institute for Gender Equality came in 1995, and a draft proposal for the establishment of such an institute by the Swedish Minister Margaret Winberg. The need to establish a Gender Institute as a "knowledge center", and the seminar participants agreed that consensus confirmed the need to establish a separate coordination, information and dissemination of knowledge institution. The European Commission has recognized the need to raise awareness on gender equality, resources concentration and sharing experiences to promote gender equality

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and to put this issue on the Social Policy Agenda, adopted in Nice in December 2000, agreeing with the European Institute for Gender Equality. In 2000, the European Commission carried out the institute's founding feasibility study of the Community framework strategy on gender equality (2001-2005). Despite the positive findings of the feasibility study for the establishment of the Institute did not make ahead. The European Parliament's Women's Rights Committee again raised the idea of a European Institute for Gender Equality in March 2004. The European Parliament published a report on the future of the European Institute for Gender role. In 2004 June The Council of Europe of the Lisbon agenda goals of gender equality issues, and taking into account the previous discussions, approved the proposal to establish a European Institute for Gender Equality and called on the Commission to submit a specific proposal. This approval was based on the principle that although the legislation and policies on equal treatment significantly reduced discrimination, particularly in employment, but the process is too slow and must continue to focus their efforts on these issues. In 2005 March EU Commissioner for Employment, Social Affairs and Equal Opportunities Vladimir Špidla proposed the establishment of a European Institute for Gender Equality, which is an independent center of expertise at European level, and to collect, analyze and disseminate reliable and comparable data. The Institute was founded in 2006 December 20. The European Parliament and the Council adopted Regulation (EC) No. 1922/2006 of the European Institute for Gender Equality was established. The Institute was opened in 2007 May, first in Brussels and then 2010 the office was moved to Lithuania, Vilnius. May 2012 the European Parliament

began to discuss the possibility of Vilnius, the European Institute for Gender Equality connection with the European Union Agency for Fundamental Rights, which is based in Vienna. Such a proposal is adopted by the European Parliament's in spring session, but the connection process for the near future should not even start. Lithuanian parliamentarians have tried to consolidate their efforts, but the majority of MEPs voted otherwise. Connect facilities offered hope to reduce duplication of effort and overhead costs. Human Rights Committee sent an appeal to the last President of the European Parliament Martin Schulz of the European Parliament proposal to raise the Vilnius-based European Institute for Gender Equality and its functions transferred to the European Union Agency for Fundamental Rights, which is based in Vienna. The appeal committee expressed its disapproval of such of the European Parliament proposal, believing that it would weaken the gender equality mechanism created role. Gender equality is one of the main enshrined in the Treaty of the European Union's founding principles. The European Union's achievements in promoting gender equality helped turn many of the people's lives in a positive direction. Gender mainstreaming in all policies have become an integral part of the policy.

Activity of European Institute for Gender Equality

European Institute for Gender Equality (EIGE) - is the agency supporting the European Union, national governments and the EU institutions (especially the European Commission) work in this area. Tasks wich EIGE is doing are:

- Collect and analyze comparable data about gender issues;
- Develop methodological tools in order to promote gender equality in all policy areas;
- Facilitate stakeholders to share experiences and discuss;
- Raising public

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awareness. Gender equality - is not only a fundamental right, but progress in this area is also very important that the European Union would achieve economic growth and social cohesion. While inequality persist in recent decades, the EU has done many things to avoid it and try solutions that inequality would dissapear in future. Results mainly achieved by improving legislation, began to promote gender equality in all areas of public policy and has taken concrete measures to improve the situation of women. Activity of EIGE is distributed in few areas : Beijing Platform for Action; Gender Equality Index; Gender mainstreaming; Gender training; Gender-based violence; Men and gender equality. In 1995 over 180 countries around the world met in Beijing, China in Fourth World conference of Women, organized by the United Nations Economic and Social Council - Beijing Platform for Action. Their common goal was to continue the international community launched earlier work on gender equality promotion. The main objective of the conference - to provide follow-up actions to empower women and to ensure a fully-fledged participation in all spheres of public life. The European Union considers gender equality a fundamental principle. Women and girls are an inalienable, integral and indivisible part of fundamental human rights. In 1998 decided that the European Council will be responsible for recording information on Member States' progress on gender equality and the provision for the review of progress and evaluation. At the end of each Presidency of the Council is preparing a report on a specific problem and progress in all Member States. 2008 December European Council invited the European Commission and the Member States to carry out a comprehensive review of all the problem areas. Later, Sweden, Presidency of the Council of

Europe prepared by the findings and the Beijing Platform for Action in Member States and EU institutions review - " Beijing + 15: Review of progress.". European Institute for Gender Equality shall assist the Commission and the Member States to draw up reports on the EU level indicator, according to the Beijing Platform for Action identified problem areas, and, where appropriate, to formulate new indicators. Member States have agreed on the need to strengthen the role of EIGE and its cooperation with the European Council Presidencies control indicators and the development of new indicators. European Institute for Gender Equality provides technical assistance to the European Council and its presidency of the Member States in the implementation of the objectives of the conference monitoring and reviewing and developing indicators, in addition to helping the presidency of the Member States to develop appropriate indicators and benchmarking information. Other working area of EIGE is Gender equality index which purpose is to be available and reliable statistical measure and benchmark the status. It is used to observe the progress or regress gender equality over time. Consistent methodology based on the index should be an effective control measure in determining gender trends in the EU and individual Member State level and status of a party alleged merits and disadvantages of the different countries comparison. Index is based on actual members of agreed gender equality (or inequality) evaluation concept and should summarize a complex multidimensional realities. This helps to make the necessary decisions. For an index of the country and indicators of progress in this regard should be in the policy agenda. Gender equality index as a composite indicator of gender equality simplifies the phenomenon of

loss of essential information and allowing to perform data synthesis, resulting in - reasonable and reliable model. Index interpreted more easily than many individual indicators. The index properties should allow its users to effectively compare complex dimensions and contribute to a better public awareness of gender equality (or inequality) of the European Union. EIGE represent gender equality index to encourage all EU countries to pay more attention to gender equality, including data on gender-sensitive issues collection. This means that the index should not simply be a party line conclusion from the results, it should set equality (or inequality) degree at some point in time and reveal the extent a Member State is approached (or away from) the society in which to achieve gender equality. Index results could contribute to inequality studies to develop policies to reduce inequality. Gender equality index refers to the political relevance of the fact that creating an index should take into account gender equality indicators in the European Union context and strategies of men and women in the field. Gender mainstreaming is not a goal in itself, it is women and achieving gender equality strategy. It refers to this dimension in the full EU institutions and Member States' policies and all programs. Gender mainstreaming in the European Union definition for the first time by the European Commission in its report in 1996. all general policies and measures mobilization for a specific purpose - to achieve equality in the planning stage, actively and openly assessing their potential impact on the situation of men and women (gender perspective). " It was emphasized that " systematic gender terms, conditions and needs assessment of a comprehensive Community policy and action at all - it is the Commission's principal implemented a" gender

mainstreaming " principle feature. This does not mean that the programs or resources simply must become more accessible to women, but rather the legal documents, financial resources, and the analytical and organizational skills at the same time mobilizing to promote all areas of the desire to create balanced relationships between men and women. " Gender mainstreaming does not replace a positive action for women. As the European Union continues to gender inequalities, the double principle of gender mainstreaming plus the role of women in bringing concrete actions, the latter - is a way to remedy past discrimination and to compensate for existing inequalities. In 2010 EIGE began consultations with stakeholders and ordered a few introductory documents in order to establish working methods and tools on priorities. In determining priorities have been taken into account in the future methods and instruments for gender equality and gender mainstreaming, development work can consist of the following activities: Collection of methods and instruments - information about the EU institutions and the Member States for tools and methods; Use of instruments and methods to categorize and evaluate development; Dissemination - meetings and publications. In 2012-2013 EIGE started implementing a project on gender training in the European Union and Croatia. Gender Training is an educational tool employed by EU and MS institutions that targets actors normally involved in policy-making at all levels of governance with an aim to develop their gender (mainstreaming) competence. In order for gender mainstreaming to be implemented effectively, the right expertise and tools need to be in place; training, therefore, has a central role in supporting actors to fulfill their mandates. After gaining administrative independence in

2010, the European Institute for Gender Equality set to support institutions at national and EU level in their efforts to promote gender mainstreaming. Gender training, in particular disseminating resources (training manuals, toolkits, guidelines etc.) and good practices, is a priority area for the Institute in this endeavour. Other area of EIGE' s activity is gender-based violence. It is a violation of human rights and discrimination. It is defined as violence against a person because of their sex. Gender-based violence reflects and reinforces gender inequality. The terms " gender violence" and " violence against women" are often used interchangeably, because usually against women and girls in violent men. The Council of Europe defines violence against women as " any act of gender-based violence, which women in public or in private life or can be done to physical, sexual, psychological or economic harm or suffering, including such acts, coercion or arbitrary deprivation of liberty threat." While the European Union does not general policy on gender-based violence problem, it has the right and duty to take action against one of the worst forms of gender inequality. 2009 European Parliament Resolution on Violence Against Women and the 2010 European Union Council conclusions on combating violence against women stressed that the European Union lacks regular and comparable data on violence against women. Therefore, the European Institute for Gender Equality by gender-based violence research to policy-makers and experts at all levels to provide reliable and comparable data sources and facilitating the implementation of gender-based violence prevention and to prevent it. European Institute for Gender Equality task is to collect, analyze and disseminate detailed and comparable data and information on gender-based

violence. In addition to data, the Institute also collects information about the methods and tools and best practices that contribute to gender-based violence, protection of victims and preventive measures. In this area, the Institute also seeks to Member States to provide technical assistance. EIGE's role in this area is also based on key pre-gender equality in the study's findings. In this study, the main stakeholders interviewed emphasized that a person's dignity, integrity, and gender-based violence problem. EIGE works with the issue of men and gender equality by taking a dual approach. Firstly, the appointed staff member coordinates EIGE's activities around men and gender equality topic. Secondly, attempts are made to follow horizontal approach by integrating men's perspective in EIGE's research and consultation work when relevant. It is essential that both women and men are aware of the benefits that gender equality brings to them as individuals and as members of communities and societies. It is also true that we can only succeed through the participation of both women and men.

Conclusions